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## Planning Commission Staff Report

**TO:** PLANNING COMMISSION

**FROM:** MARIA S. CADAVID, AICP, CSBA, SENIOR PLANNER  
480-503-6812, MARIA.SUNIGA-CADAVID@GILBERTAZ.GOV

**THROUGH:** CATHERINE LORBEER, AICP, PRINCIPAL PLANNER  
480-503-6016, CATHERINE.LORBEER@GILBERTAZ.GOV

**MEETING DATE:** FEBRUARY 5, 2014

**SUBJECT:** Z13-12: REQUEST TO AMEND ORDINANCE NOS. 1597 AND 1956 AND REZONE APPROXIMATELY 17.5 ACRES OF REAL PROPERTY WITHIN THE COPPER RANCH PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED SOUTH AND EAST OF THE SOUTHEAST CORNER OF WARNER AND RECKER ROADS FROM MULTI FAMILY-MEDIUM (MF-M) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO SINGLE FAMILY-DETACHED (SF-D) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

<b>STRATEGIC INITIATIVE:</b> Community Livability
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This rezoning request constitutes the last vacant residential parcel in the Copper Ranch Master Plan, which is located in the Gateway Character Area and will continue the Neo-traditional concept and design principles of this Character Area.

### **RECOMMENDED MOTION**

**FOR THE REASONS SET FORTH IN THE STAFF REPORT, MOVE TO RECOMMEND APPROVAL TO THE TOWN COUNCIL FOR Z13-12, SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.**

## **APPLICANTS/OWNER**

### **Applicant**

**Name:** Anderson Baron Landscape Arch.  
Chris Jones  
**Address:** 50 North McClintock Dr. Ste # 1  
Chandler, Arizona 85226  
**Phone:** 480-699-7956  
**Fax:** 480-699-7986  
**Email:** [chris.jones@andersonbaron.com](mailto:chris.jones@andersonbaron.com)

### **Owner**

**Name:** K B Home  
Janelle Speake/Sam Griffin  
**Address:** 4127 E. Van Buren # 150  
Phoenix, Arizona 85008  
**Phone:** 602-282-3067  
**Email:** [sgriffin@kbhome.com](mailto:sgriffin@kbhome.com)

## **BACKGROUND/DISCUSSION**

### **History**

<i>Date</i>	<i>Action</i>
<i>October 5, 2004</i>	Town Council adopted Ordinance No. 1597 in rezoning case Z03-44 creating the Copper Ranch Planned Area Development (PAD).
<i>May 22, 2007</i>	The Town Council adopted Ordinance No. 1956 in rezoning case Z07-35 that changed the zoning designation of the entire acreage to conform to the designations in the Land Development Code (LDC).
<i>October 6, 2004</i>	The Planning Commission approved the preliminary plat (S04-09) for Copper Ranch.
<i>July 3, 2013</i>	The Planning Commission reviewed this application (Z13-12) at Study Session.
<i>October 2, 2013</i>	Applicant requested to the Planning Commission continuance of the recommendation to address issues raised at the Study Session.
<i>November 6, 2013</i>	Applicant requested a second continuance to address the possibility of increasing the off and on-street parking areas and reducing the number of lots with increased lot coverage.
<i>December 4, 2013</i>	Staff requested continuance to allow applicant time to refine exhibits and revise the legal description.
<i>January 8, 2014</i>	The Planning Commission continued action on this application citing concerns about inadequate space to back up from the end unit garages, access to the designated refuse collection pads from the 8-pack module, availability and efficiency of the on- and off-street parking, and the 62% coverage for some of the lots.

### **Overview**

Parcel B is the last residential parcel to be developed in Copper Ranch and it proposes 107 Single Family (SF-D) lots on 17.5 gross acres on what is currently zoned Multi-Family/Medium. This rezoning will reduce the number of units by 61 from the original entitlement.

The Planned Area Development was originally designed to observe the design standards for the Gateway Character Area where it is located. The development plan proposed for this parcel illustrates the required fifty-foot (50') wide landscape buffer easement along Recker and Warner Roads, and the arrangement of the pods abutting the commercial parcel to the north are setback from 30' to 50' from the property line to mitigate any impact from the future commercial onto the residential development and to utilize this buffer to meet landscape requirements. The applicant also describes in the narrative that they will design the houses using the Gateway Area Traditional Neighborhood Design Guidelines to achieve the General Plan Goals for the Gateway Character Area.

**Surrounding Land Use & Zoning Designations:**

	<b>Existing Land Use Classification</b>	<b>Existing Zoning</b>	<b>Existing Use</b>
<b>Onsite</b>	Residential > 5 – 8 DU/Acre	Multi-Family Medium (MF/M)	Vacant/Off-site improvements partially completed
North	Community Commercial (CC), Warner Rd. then Business Park (BP)	Community Commercial (CC), Warner Rd. then Business Park (BP)	Vacant
South	Residential > 5-8 DU/Acre	Single Family Detached (SF-D)	Copper Ranch PAD
East	Maricopa County, Residential > 5-8 DU/Acre	Rural-43 (Maricopa County), Single Family-Detached (SF-D)	Maricopa County and Copper Ranch PAD
West	Community Commercial (CC), Recker Road, then Residential > 5-8 DU/Acre	Community Commercial (CC), Recker Road then Single Family Detached (SF-D)	Vacant and Cooley Station North Parcel 1

**Project Data Table:**

	<b>Proposed Project</b>
Gross Site Area	+/- 17.5
Existing Land Uses:	Residential > 5-8 DU/Acre
Proposed Density (Gross)	6.1 DU/Acre (Parcel B) Overall acreage: 76.5
Existing Zoning (Parcel B)	Approximately 17.5 acres of Multi-Family Medium (MF/M) with a PAD
Proposed Zoning (Parcel B)	Approximately 17.5 acres Single Family Detached (SF-D) with a PAD

<b>Standards</b>	<b>Land Development Code (LDC) SF-D</b>	<b>Copper Ranch Parcel B Amendment Request (As Revised 1/21/14)</b>
Lot Width	N/A	40' to 59'
Lot Coverage One story Two/three story	60% 50%	60% <b>57% (18 lots)</b>
Front Setback	10'	<b>5'</b> <b>( six-pack end lots only)</b>
Rear Setback	10'	<b>5'</b>
Side Yard Setback	0 or 5'	5'
Min. Lot Size	3,000 sq. ft. per dwelling	<b>2,900 sq. ft.</b> <b>(27 lots only or 25%)</b>
Separation between buildings (measured from the exterior walls of the units)	10'	10'

## **PUBLIC NOTIFICATION AND INPUT**

The applicant held the first neighborhood meeting on Tuesday, August 21, 2012 at 6:00 p.m. in the KB sales center that was attended by the applicant, his development team and twelve (12) property owners from other parcels of Copper Ranch. After the Study Session on July 3, 2013, the development team was asked by staff to hold a second neighborhood meeting due to the time that had elapsed.

The second meeting took place on July 22, 2013 at the KB sales trailer located in the subdivision. It was attended by five (5) property owners and the development team. Questions included the following:

- Property owners asked for the possibility of motor courts having a street name to help in package deliveries.
- Timing of improvements for Recker and Warner Roads and wanting to see these roads widened from the existing 2 lane status.
- Property owners asked about on-street parking on proposed development plan vs. the existing onsite plan.
- Asked about the existing commercial and what would be built there; they expressed their desire of seeing something other than commercial due to the high vacancy in the area.
- Property owners asked if the HOA fees would be reduced based on the proposed development plan.
- Residents expressed their interest in having an additional pool for the community due to the frequent use of the existing pool.
- Residents asked about the lot setbacks discussed at the Study Session.

- Attendants asked about the reason for the site plan changing from the last neighborhood meeting on August 21, 2012.
- Residents also asked about the timing of the proposed development and expressed their desire of seeing the proposed site plan built, rather than the existing triplex or vacant land remaining.
- Property owners expressed positive support for the proposed site that reduces the possible number units by approximately 59.

A notice of public hearing was published in a newspaper of general circulation in the Town, and an official notice was posted in all the required public places within the Town. The applicant re-advertised the public hearing with the revised Town Council date and correct acreage on December 24, 2013. Staff has not received any additional comments from the public.

### **CONFORMANCE WITH THE GENERAL PLAN:**

The rezoning request does not trigger a General Plan amendment because the request proposes 6.1 DU/Acre within Parcel B of Copper Ranch and the land use classification for the entire Planned Area Development is Residential > 5-8 DU/Acre.

### **REZONING REQUEST**

*Rezoning (Z13-12):* Per the applicant's narrative and the revised Development Exhibit submitted on January 22, 2014, the proposed amendment to create 107 lots on approximately 17.5 acres known as Parcel B of the Copper Ranch Plan Area Development consists of:

1. Reduce the minimum size of the lots to 2,900 square feet (27 lots only) from 3,000 square feet in the LDC.
2. Reduce building setbacks as follows:
  - o Front: (faces the motor court): from 10' to 5' (six pack end lots only).
  - o Rear: from 10' to 5'.
3. Maximum lot coverage for two-story houses: from 50% to 57% for 18 lots only

In review of the revised Development Plan, the minimum lot size is shown at 2,900 square feet for 27 lots (per the Development Plan, 5 and 6-packs end lots). Per the preliminary plat exhibit, the remainder of lots range from 3,497 to 3,864 square feet in size. Staff is of the opinion that the smaller lot size should be limited to the 27 lots as illustrated on the revised Development Plan where a specific standard plan already fits.

At the July 3, 2013 Study Session, the Planning Commission expressed issues and commented on the intensity of the project, the insufficient on-street parking provision, the number of deviations requested and the building code restrictions that could affect the articulation of the side or rear walls closer to the property line.

Since July, the applicant has produced several iterations of the Development Plan and parking exhibits to respond to the Planning Commission concerns and to the Traffic and Sanitation requirements regarding the functionality of the project. Because the proposed street design allows for on-street parking, there is not a requirement for guest parking per LDC Table 4.204. However, to address operational concerns, the applicant revised the parking exhibits and now offers 30 off-

street parking spaces in four (4) separate off-street parking alcoves throughout the project in addition to the designated parallel on-street parking spaces.

Also, in response to the Sanitation Division observations, the applicant illustrates the placement of the refuse pads and required signs to effectively implement these designations. Other requirements by Sanitation will be conditioned in the ordinance for effective implementation by the Home Owners Association (HOA) during the life of the project.

At the January 8, 2014 public hearing, the Planning Commission expressed concerns specifically on the egress from the garages at the end of the motor courts, functionality of the setbacks, and accessibility to the designated refuse pads by residents in the 8-pack module. Since then, the applicant has submitted revised plans addressing the following:

- Reduction of the overall number of lots from 109 to 107
- The minimum lot area is now 2,900 sq. ft. (for 27 lots only) vs. 2,620 sq. ft. initially proposed
- Lot coverage was reduced from the proposed 62% to 57% for only 18 lots at the end of the 5- and 6-pack modules
- The housing product footprint for the rear units in the 6-packs was adjusted to widen the garage door separation from 27' to 28' and a vertical curb added to the rear edge of the motor court
- The front yard encroachment was reduced and now the proposed deviation is from 10' to 5'
- The 8-pack cluster was eliminated in response to refuse placement accessibility and to create more off-street parking spaces
- No deviation from the side yard requirement is requested. It meets standards at 5'
- No deviation from the required separation between buildings is requested now since it is at 10'
- The number of off-street parking stalls illustrated on the parking exhibit per the last submittal shows an increase from 22 to 30 spaces (refer to Traffic evaluation below).

The Single-Family Detached (SF-D) zoning district designation is the only district in this master plan community. The design for the use and benefit easement helps to maximize the use of the outdoor area for this lot layout. Staff acknowledges the applicant's effort to mitigate the Commission's concerns and is of the opinion that the project's operability will improve and the feeling of intensity will be relieved. However, based on history of entitlement allowances the Town Council has granted in the past within the Gateway Character Area, specifically for the Single-Family Detached zoning district in the Cooley Station PAD, staff recommends allowing the lot coverage for a maximum of 18 end lots of the Copper Ranch PAD to be up to 55% for the two/three-story homes.

*Traffic/Sanitation Evaluation:* as previously stated by Traffic, the pull-in parking spaces on Ranch Road are not acceptable because for these spaces to work, the on-street parking on the opposite side of this road will have to be removed. Therefore, the overall net gain of off-street parking stalls is only 3 spaces added within the parking pockets to the north between the 5 and 6-pack modules. The illustration of this additional off-street parking should be removed from the exhibits before action by the Town Council. Although Sanitation approved the designated location of the refuse bins along the elbow curb linking Pheasant Drive and Brook Street, Traffic requires relocating them out of the curb and placing them along the straight alignment of Brook Street to avoid an

effective narrowing of the street by 5 feet for the turning traffic. Other specific issue on connectivity from off-street parking stalls to sidewalks should be addressed by the applicant as part of the on-going preliminary plat review.

*Engineering Evaluation:* accepts the revised layout for the end-lots layout in the 6-pack groupings indicating that the maneuverability is improved by increasing the distance from face to face of the garages to 28' and with the implementation of a vertical curb; however, states that the design of future residential alleys should be no less than 24' wide pavement.

### **PROPOSITION 207**

An agreement to “Waive Claims for Diminution in Value” Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file (Z13-12).

### **REASONS FOR RECOMMENDATION**

1. The proposed zoning amendment as conditioned conforms to the General Plan, the Gateway Character Area, and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning as conditioned supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

### **STAFF RECOMMENDATION**

For the following reasons, the development proposal conforms to the intent of the General Plan and can be coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval to the Town Council for Z13-12, a request to rezone approximately 17.5 acres of real property within the Copper Ranch Planned Area Development (PAD) generally located south and east of the southeast corner of Recker and Warner Roads from Multi-Family Medium (MF/M) to Single Family-Detached (SF-D) zoning district, all with a Planned Area Development (PAD) overlay and to amend conditions of development in the Copper Ranch PAD for Parcel B subdivision, subject to the following conditions:

1. Parcel B of Copper Ranch Planned Area Development (PAD) shall be developed in conformance with the Town’s zoning requirements for the Single Family-Detached (SF-D) and all development shall comply with the Town of Gilbert Land Development Code except as modified by the following:

Zoning District	Min. Lot Area (Sq. Ft)	Setbacks		Coverage (%)
		Front	Rear	Two-Story
<b>Single Family-D (SF-D)</b>	<b>2,900 (for a maximum of 27 lots)</b>	<b>5' for end- lots only in the 4 and 6 pack modules</b>	<b>5'</b>	<b>55% (for a maximum of 18 end lots only)</b>

2. The developer shall install the following improvements in the right-of-way to manage vehicular circulation and refuse collection functions:
  - Refuse pads shall be installed and have a minimum dimension of 3' x 3' with 2 feet in between each pad.
  - 'No Parking' signs shall be placed by the area of the designated refuse pads and there shall be a 15 foot clearance between refuse pad areas and the 1<sup>st</sup> on-street parallel parking space.
  - Each cluster of houses shall have a designated area by each driveway for monthly bulk trash service.

Respectfully submitted,



Maria S. Cadavid AICP, CSBA

**Attachments:**

1. Public Hearing Map
2. Development Plan for Copper Ranch Parcel B
3. Parking Exhibit
4. Typical Lot Fit Diagram (4, 6-pack and 6-pack court 3 pp.)
5. Letter to staff dated January 21, 2014
6. Court Character
7. Planning Commission Minutes of 1/8/14



## Notice of Public Hearing

**PLANNING COMMISSION DATE:** *CONTINUED TO: Wednesday, February 5, 2014\* TIME: 6:00 PM*  
**TOWN COUNCIL DATE:** *Thursday, March 6, 2014\* TIME: 7:00 PM*  
**LOCATION:** Gilbert Municipal Center, Council Chambers  
50 E. Civic Center Drive  
Gilbert, Arizona 85296

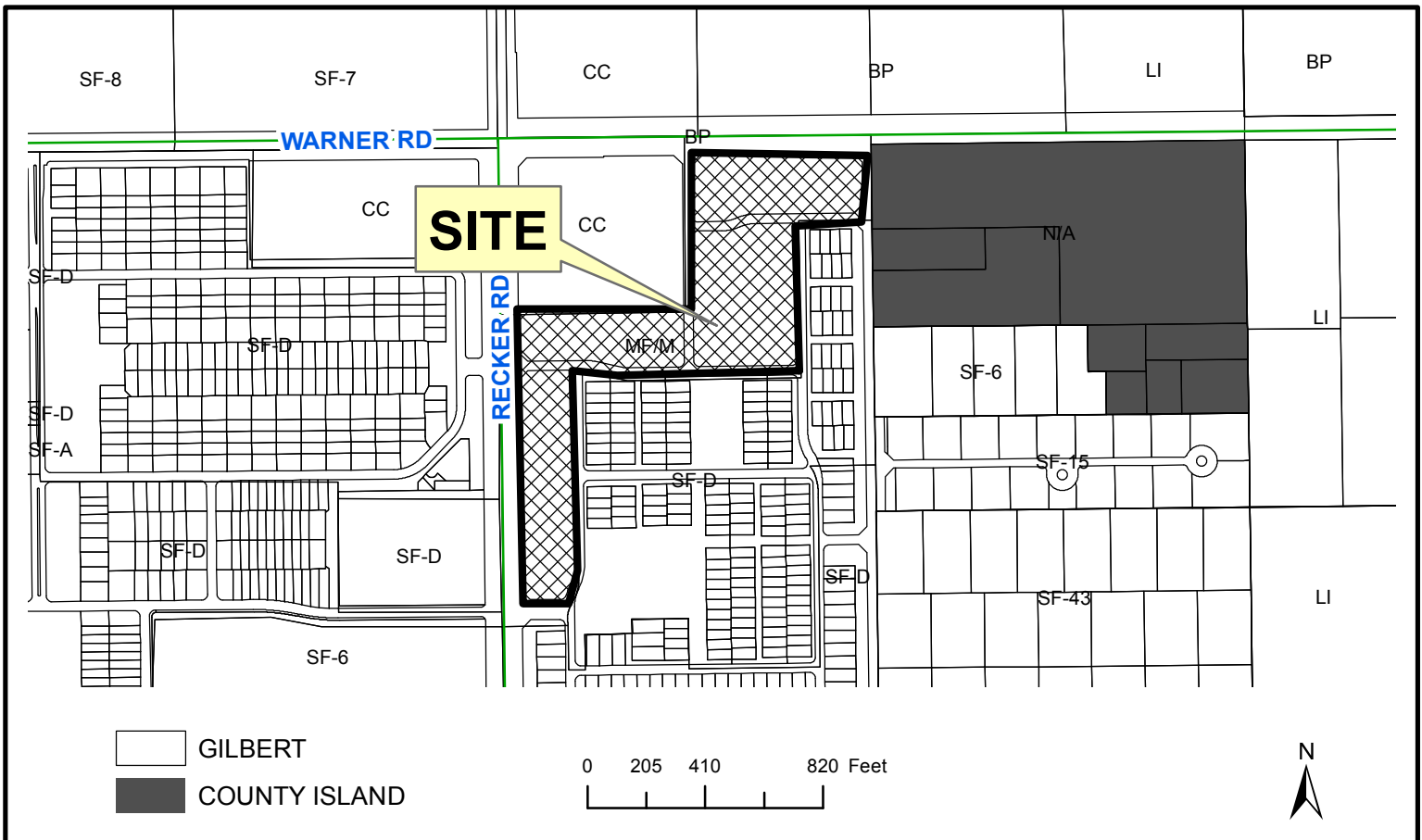
\* Call Planning Department to verify date and time: (480) 503-6700

### **REQUESTED ACTION:**

Z13-12: Request to amend Ordinances No. 1597 and 1956 and rezone approximately 17.5 acres of real property within the Copper Ranch Planned Area Development (PAD), generally located south and east of the southeast corner of Warner and Recker Roads from Multi Family-Medium (MF-M) with a Planned Area Development (PAD) to Single Family-Detached (SF-D) with a Planned Area Development (PAD) overlay zoning district, as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office and to amend conditions of development as follows: reduce lot dimensions; decrease front, side and rear setbacks and separation between dwelling units; and increase the maximum lot coverage for two and three-story units. The effect of the rezoning will be to develop the property as single-family rather than multi-family residential and to increase the lot coverage by reducing setbacks, lot dimension and separation between residential units for the single-family detached (SF-D) zoning district.

\* The application is available for public review at the Town of Gilbert Development Services division Monday - Thursday 7 a.m. - 6 p.m.

### **SITE LOCATION:**



**APPLICANT:** Anderson Baron Landscape Architecture LLC  
**CONTACT:** Chris Jones  
**ADDRESS:** 50 N. McClintock Drive #1  
Chandler, AZ 85226

**TELEPHONE:** (480) 699-7956  
**E-MAIL:** [chris.jones@andersonbaron.com](mailto:chris.jones@andersonbaron.com)



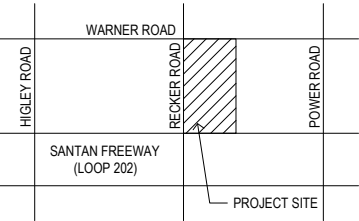
Z13-12: Copper Ranch Parcel B  
Attachment 2 -Development Plan for  
Copper Ranch Parcel B  
February 5, 2014



PARCEL B PROPOSED				
DESCRIPTION	QUANTITY	%	ZONING	GENERAL PLAN CLASSIFICATION
GROSS AREA	17.50 AC.		SF-D	RESIDENTIAL 5 - 8 DU AC
NET AREA	13.21 AC.			
OPEN SPACE	4.36 AC.	33%		
GROSS DENSITY	6.11 DU/AC			
TOTAL LOTS	107 UNITS			
LOTS OVER 50% LOT COVERAGE	18 UNITS	17%		
LOTS UNDER 3,000 SF	22 UNITS	21%		

STANDARDS	LDC SF-D	AMENDED SF-D
MINIMUM LOT AREA	3,000 SF	2,900 SF
MINIMUM LOT DIMENSION:	NA	NO CHANGE
WIDTH		
DEPTH		
MAXIMUM HEIGHT (FT.)/STORIES	36/3	NO CHANGE
MINIMUM BUILDING SETBACKS:		
(F) FRONT	10'	5'
(S) SIDE	0' or 5'	5'
(R) REAR	10'	5'
ADDITIONAL BUILDING SETBACKS:		
(SEP) BUILDING SEPARATION	10'	10'
(FG) FRONT GARAGE	NA	13.5' TO LOT LINE
(SS) STREET SIDE	NA	10'
MAXIMUM LOT COVERAGE (%):		
ONE STORY	60%	NO CHANGE
TWO/THREE-STORY	50%	57% WITH COVERED PATIOS AND PORCHES

● LOTS WITH 57% LOT COVERAGE.  
ALL OTHER LOTS ARE 50% OR BELOW



COPPER RANCH

DEVELOPMENT PLAN

plan scale 1:100'  
date: 1.21.12

100 200 300

**andersonbaron**  
plan • design • achieve  
50 n. mcclintock drive, suite 1  
chandler, arizona 85226  
ph. 480.699.7956 f.480.699.7986

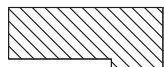


I3-045 - Copper Ranch

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KEY MAP  
N.T.S.

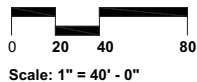
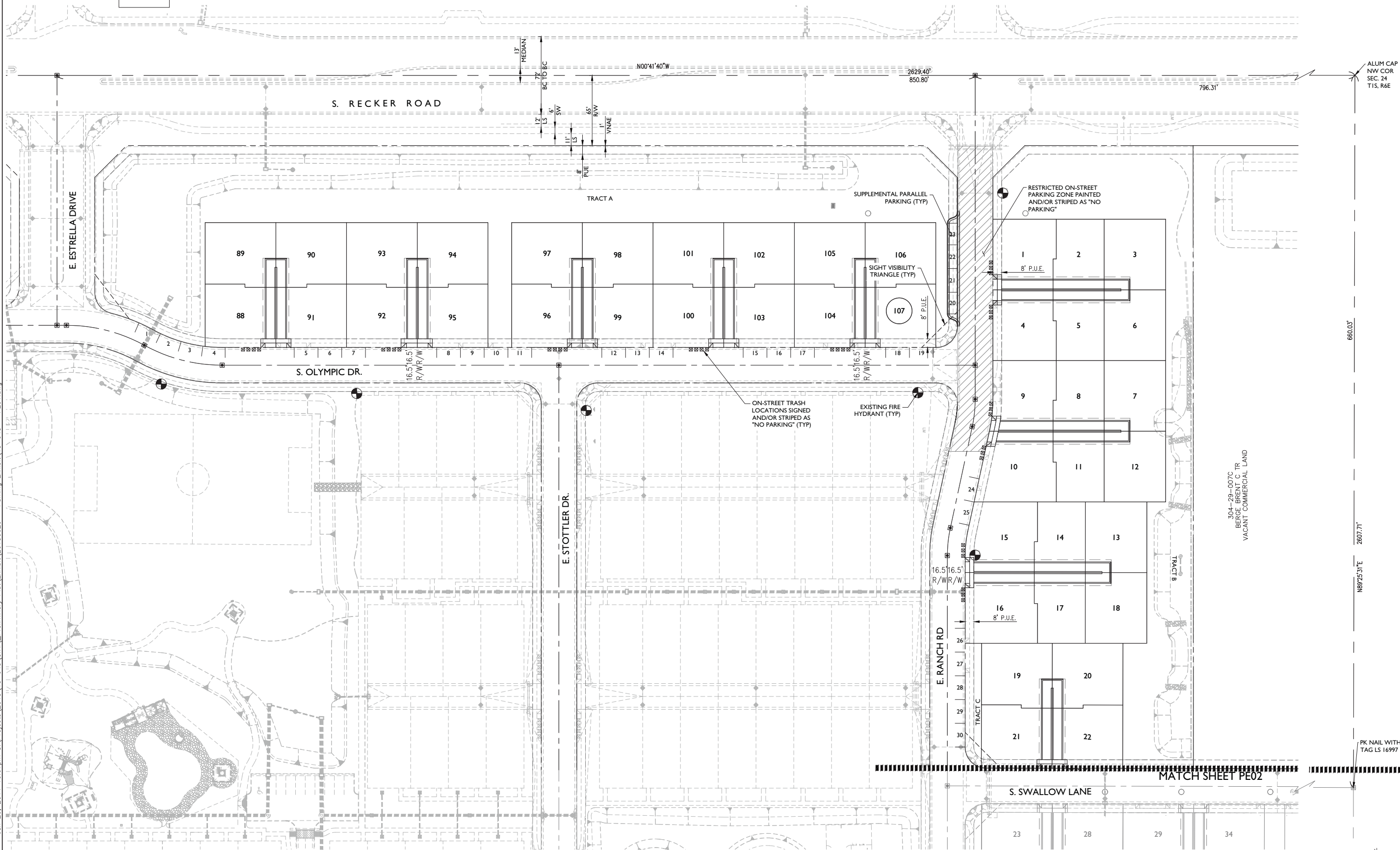


SEE SHEET 2 of 2  
PE02

Z13-12: Copper Ranch Parcel B  
Attachment 3 -Parking Exhibit  
February 5, 2014

PARKING SUMMARY

TOTAL LOTS:	107
ONSITE PARKING:	89
OFFSITE PARKING:	7
TOTAL PARKING:	96
PARKING RATIO:	1.0.9



Copper Ranch  
Gilbert, Arizona  
Parking Exhibit

Project:	
Revisions:	

Call at least two full working days before you begin preparation.  
Dual 8-1/2" x 11" or 1400-STAKE-IT (RES-548)  
in Maricopa County (800)253-1108

Designer: DBA  
Drawn by: MSA

Professional Engineer  
50291  
DANIEL B. AUXIER  
Exp. 12/31/2015

Job No.  
**I3-045**

PE01

Sheet No.  
**1 of 2**

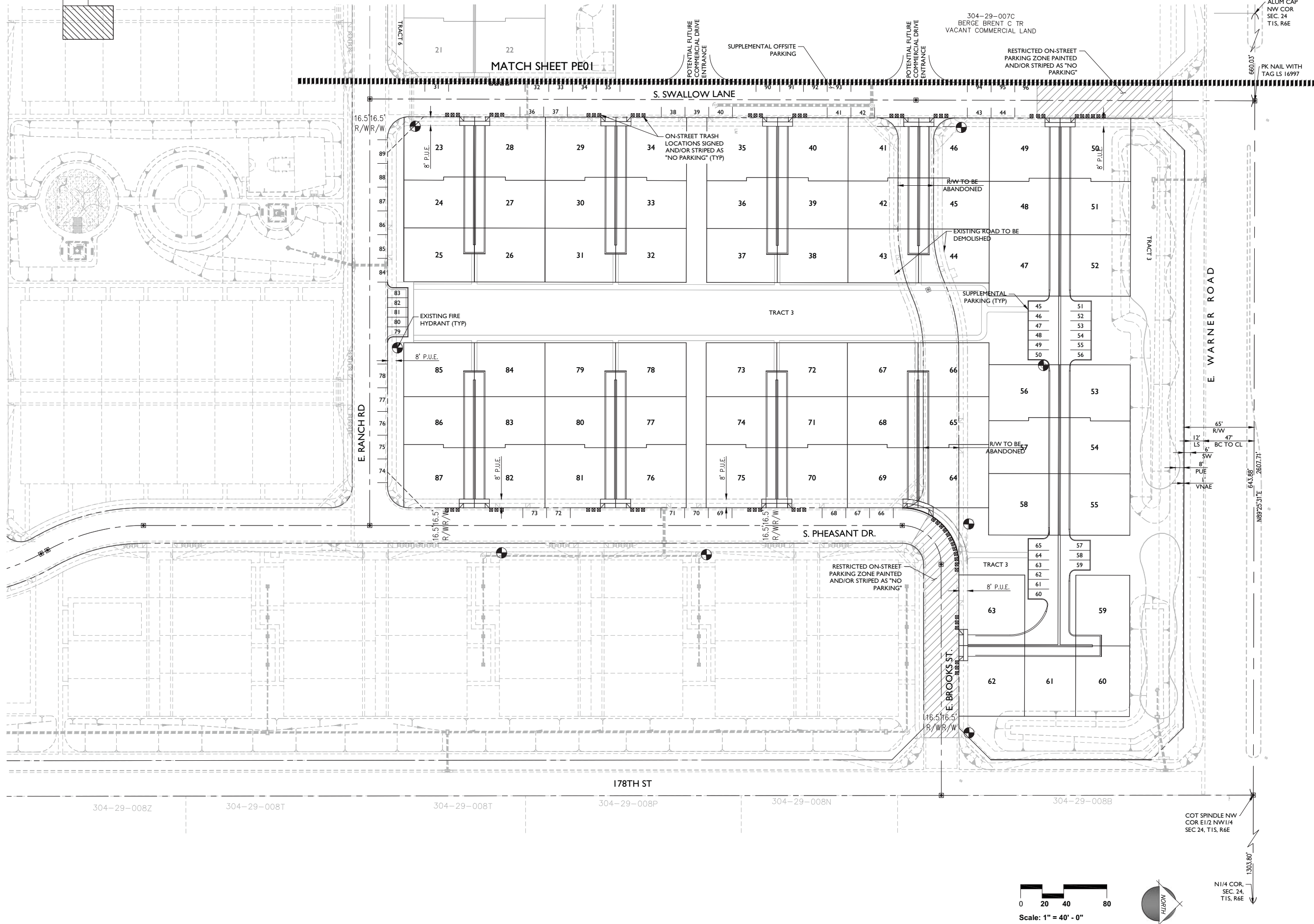
13-045 - Copper Ranch

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KEY MAP  
N.T.S.

SEE SHEET 1 of 2  
PE01



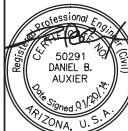
Copper Ranch  
Gilbert, Arizona  
Parking Exhibit

Project:

Revisions:



Designer: DBA  
Drawn by: MSA

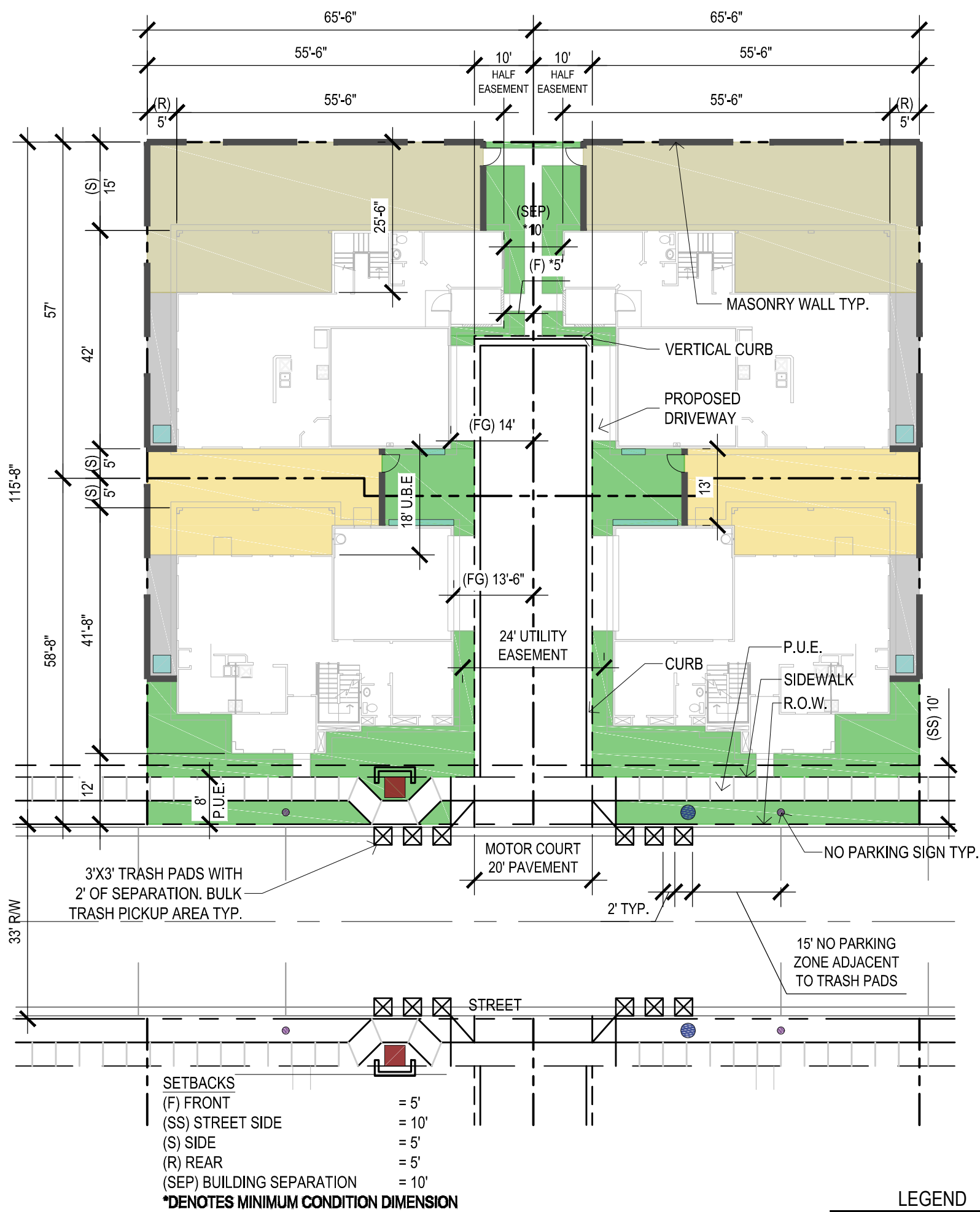


Expires: 12/31/2015

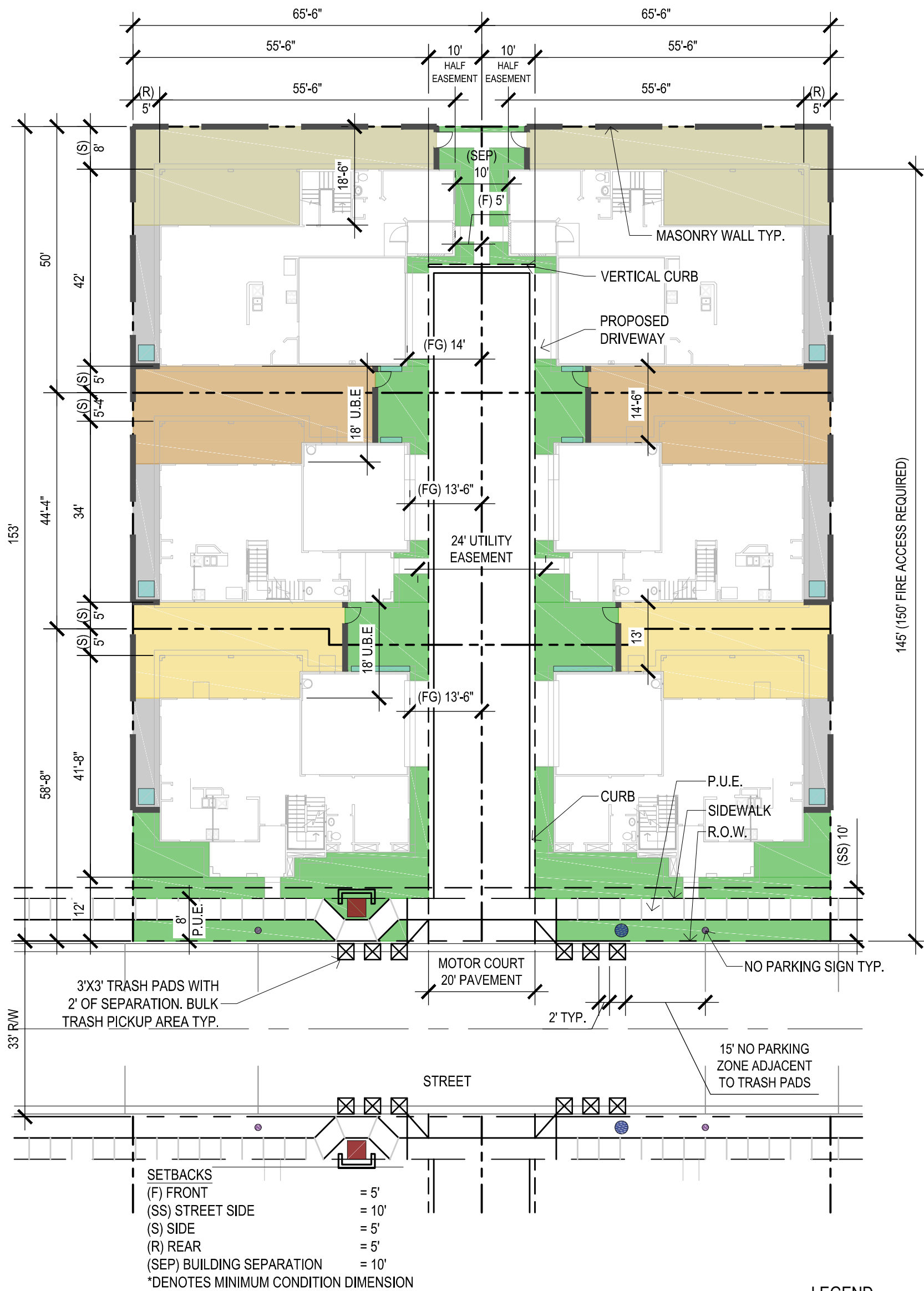
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13-045

PE02

Sheet No.  
2  
of 2



LEGEND	
	FIRE HYDRANT
	SRP TRANSFORMER
	NO PARKING SIGN
	UTILITIES LOCATION
	AC CONDENSER



#### LEGEND

- FIRE HYDRANT
- SRP TRANSFORMER
- NO PARKING SIGN
- UTILITIES LOCATION
- AC CONDENSER

plan scale 1:20'  
date: 1.21.13

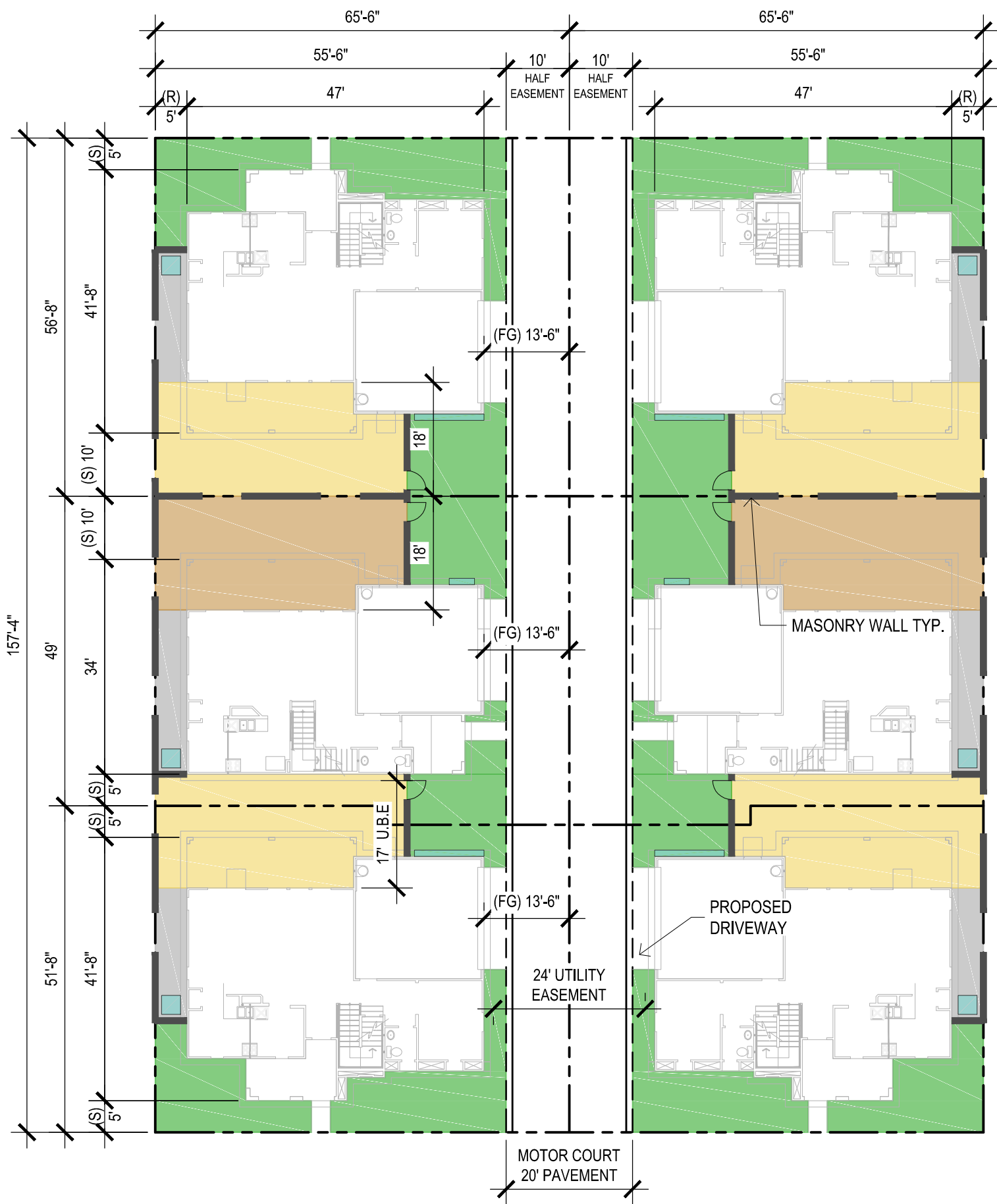


6-PACK  
LOT LAYOUT

**andersonbaron**  
plan • design • achieve  
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chandler, arizona 85226  
ph. 480.699.7956 f. 480.699.7986

COPPER RANCH

**KB**  
HOME



LEGEND

AC CONDENSER



COPPER RANCH

ALLEY 6-PACK  
LOT LAYOUT

plan scale 1:20'  
date: 1.21.13

**andersonbaron**  
plan • design • achieve  
50 n. mcclintock drive, suite e 1  
chandler, arizona 85226  
ph. 480.699.7956 f. 480.699.7986



**EARL, CURLEY & LAGARDE, P.C.**  
ATTORNEYS AT LAW

Telephone (602) 265-0094  
Fax (602) 265-2195  
www.ecllaw.com

3101 North Central Avenue  
Suite 1000  
Phoenix, Arizona 85012

January 21, 2014

**SENT VIA EMAIL**

Maria S. Cadavid, AICP, CSBA  
Senior Planner  
Town of Gilbert  
Development Services Department  
90 E. Civic Center Drive  
Gilbert, AZ 85296

RE: ***Copper Ranch*** – SEC Recker Road and Warner Road  
Application No. Z13-12

Dear Maria:

The following is a summary of the changes that KB Home has made to its rezoning plans and preliminary plat for the above-referenced property. I am hopeful that the Planning Commission will be impressed with the extent of the changes. We have tried diligently to address every concern that was raised at the last meeting. The following are the changes:

1. The minimum lot area that was formerly requested to be reduced to 2,620 has been amended so that the minimum lot area will be 2,900 square feet and for only 27 lots which are the middle lots of the 6-packs. I would remind you that all of these middle lots have approximately 277 square feet of Use and Benefit Area Easement that if included in these lots would raise the minimum well above the 3,000 square feet.
2. We are eliminating the request to have any lots with 62% lot coverage. We are only now asking for 18 lots to have 57% lot coverage. Those lots are noted on the attached exhibit. All other lots will comply with the maximum 50% lot coverage requirement.
3. The front yard setback which was formerly requested to be 3'6" has been amended to be 5'. This condition is for the end cap units. By increasing the 3'6" request to 5' we are also able to eliminate the building separation request.
4. We've eliminated the one 8-pack condition which generated a concern by the Planning Commission relative to the distance between the end unit and the garbage pickup area. In lieu of the two units which have been eliminated we are adding six (6) parking spaces.
5. We've reduced the total number of lots from 109 to 107.

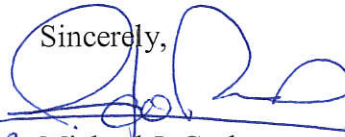


January 21, 2014

Page 2

6. We formerly asked for a side yard of 3 feet which has been eliminated and we are now providing a minimum of 5 feet side yard setback.
7. We have improved the vehicle maneuvering area from exiting cars from the garage of the end unit. We have made the following improvements to address Planning Commission concerns. We have adjusted the size of the product footprints of the rear units of the motor court to widen the garage door separation from 27' to 28' and moved the patio from the end of the motor court to provide a vertical curb at the end of the motor court to protect the structures from backing vehicles.
8. Increased the number of parking spaces within the immediate area for a total of 96 spaces.

We are hopeful that all of these changes will be viewed positively. If you have any questions or comments, please feel free to contact me.

Sincerely,  
  
FOR Michael J. Curley

MJC/sr



Exhibit H: Court Character





**TOWN OF GILBERT  
PLANNING COMMISSION REGULAR MEETING  
GILBERT MUNICIPAL CENTER, 50 E. CIVIC CENTER DRIVE, GILBERT AZ  
JANUARY 8, 2014**

**Z13-12: REQUEST TO AMEND ORDINANCES NO. 1597 AND 1956 AND REZONE APPROXIMATELY 17.5 ACRES OF REAL PROPERTY WITHIN THE COPPER RANCH PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED SOUTH AND EAST OF THE SOUTHEAST CORNER OF WARNER AND RECKER ROADS FROM MULTI FAMILY-MEDIUM (MF-M) WITH A PLANNED AREA DEVELOPMENT (PAD) TO SINGLE FAMILY-DETACHED (SF-D) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY ZONING DISTRICT AND TO AMEND CONDITIONS OF DEVELOPMENT AS FOLLOWS: REDUCE LOT DIMENSIONS; DECREASE FRONT, SIDE AND REAR SETBACKS AND SEPARATION BETWEEN DWELLING UNITS; AND INCREASE THE MAXIMUM LOT COVERAGE FOR TWO AND THREE-STORY UNITS.**

Chairman Wittmann opened the public hearing.

Senior Planner Maria Cadavid displayed a Gateway Character Area map and pointed out the project site on the North boundary of the Gateway area. The zoning map was displayed and it was noted that the remainder of Copper Ranch is SF-D and that the applicant is requesting to be extended to the last parcels platted as parcel B. Ms. Cadavid noted that the aerial map shows the SF-D that currently exists. The current and proposed zoning exhibit was displayed and it was noted that it is a very difficult layout for a multifamily development. Staff has expressed their support of the rezoning due to the limitations on the development capabilities of the site. Planner Cadavid displayed the parking exhibits that had been worked out between the applicants' and staff, engineering, traffic and sanitation that demonstrate the availability of on- street parking. The spaces will not be striped but they show where they can park and also identify the placement of the refuse enclosures and the distance that is needed by sanitation from the parking usability and where the refuse enclosures need to be placed. Ms. Cadavid noted that there was another exhibit which showed the eastern side of the development. It also showed the pockets of off-street parking that the applicant has provided since the Planning Commission saw the application, which adds to the on-street parking 19 spaces in response to traffic concerns. Those traffic exhibits will be adopted with the ordinance if the project is approved by Town Council. Planner Cadavid referred to the following graph in terms of the requested deviations:

<b>Standards</b>	<b>Ord. No. 1956</b>	<b>Land Development Code (LDC) SF-D</b>	<b>Copper Ranch Parcel B Amendment Request</b>
Lot Width	45'	N/A	40' to 59'
Lot Coverage			
One story	60%	60%	60%
Two/three story	50%	50%	<b>62%</b>
Front Setback	10' to living area, or side entry garage 20' to front loaded garage	10'	<b>3'-6"</b> <b>(pods' end lots only)</b>
Rear Setback	10'	10'	<b>5'</b>
Side Yard Setback	5'	0 or 5'	<b>3'-6" to covered patios' face of posts and 3'</b>
Min. Lot Size	4,500 sq. ft.	3,000 sq. ft. per dwelling	<b>2,620 sq. ft. (29 lots or 27%)</b>
Separation between buildings (measured from the exterior walls of the units)	--	10'	<b>7'</b>

In review of the proposed Development Plan, the minimum lot size is shown at 2,620 square feet for 29 lots at the center of each pod. Per the preliminary plat exhibit, the remainder of lots range from 3,497 to 4,370 square feet.

Staff is of the opinion that the smaller lot size illustrated on the Development Plan exhibit, should be limited to the 29 lots where a specific standard plan already fits. The separation between buildings is 7' on the end units of the 4 and 6 unit pods which are the majority. They only have one 8 unit pod and one 5 unit pod. Planner Cadavid indicated on the site map the color-coded areas of the private open space for the lots. She indicated the imaginary lot lines and noted that the use and benefit easement will allow the property owners to benefit from that space. The entire frontage is towards the courtyard and the 3.6 applies on the end units from the wall to the property lines. On those end lots there is a 7 foot separation between buildings and there are 10 foot separations between the other buildings on each pod. There is larger private open space at the entrance of the end units. Another measurement that has been asked for is 3 feet measured from the face of the post. Staff has asked for information on the 4 packs. Some of them are along the Recker Road alignment and have more space between the patios and the end walls which have pedestrian access to all of the green belts that can be seen in the development plan. Planner Cadavid indicated an exhibit which demonstrated how the use and benefit easement for maximizing the outdoor space works on the smaller lots. Planner Cadavid indicated an exhibit that showed, in color, the smaller lots and green belts surrounding the pods. Staff recommends approval on the deviations proposed regarding setbacks and lot sizes limiting the smaller lot size to 29 lots only and requiring compliance with the footprint percentage which is 50% on the footprint for the smaller lots. In terms of the applicant proposed floor plans only one of those plans needs the 62%. The applicant has responded to traffic and sanitation concerns and those divisions have accepted the proposal and staff feels that the setbacks will not reduce the private outdoor space of the smaller lots. The Council revised the LDC to allow 5% above the footprint of the zoning districts that were SF-6 and above for open air structures. Planner Cadavid commented that staff was recommending approval but maintaining the percentage of coverage for all the plans.

Commissioner Cavenee said that in terms of the drive aisle or motor court, it is in effect behaving like a cul-de-sac but is only 20 feet wide. He said that he understood that it was on private property so he did not know what the restrictions were but when they have garages with virtually no driveway are they really comfortable with the turning radius into those garages. In terms of the 6 pack exhibit and the last unit; as a car backs out of that driveway they do not have the ability to back up and turn as the rear of their car has no place to go. Even in parking lots they create extensions where they have dead ends such as that. He commented that he was somewhat concerned that there is no extension for a car to back out of the garage and then leave.

Chairman Wittmann asked Tom Condit, the interim Town Engineer, to come forward.

Mr. Condit said that engineering did express concern about the width of the drive aisle with the applicant. He said that he had had discussions with other municipalities on a very similar product to this and the idea of 24 feet being an absolute minimum width for an easement area is actually what the Town has already adopted in terms of a Zoning Administrator interpretation. Mr. Condit said that there was a discussion about whether the applicant could give them a 24 foot Street width and not just an easement width and because of the layout of those particular lots one thing that they did say was that they were not going to install trees and that the additional 4 feet on the sides were just going to be decomposed granite and shrubs to make it easier for vehicles to maneuver in and around through that additional 4 feet on the sides. They also mentioned the fact that from garage door to garage door there is actually 27 feet. Mr. Condit said that he felt that it was very tight and would be looking at possibly modifying the standards in the future to require 24 feet as a drive aisle and not just a utility easement. Because of the fact that they said they were not going to put any trees in and that it would be DG in the two foot easement areas on both sides, engineering feels comfortable allowing them to go forward at that time. As far as the cul-de-sac at the end, given the fact that there is no parking on those streets and it is just an entrance and exit for the folks entering their homes and understanding the concern about possibly having to do a 3 point or 5 point turn with some of the very largest vehicles, he understood it was very tight and the turning radius was minimally adequate for vehicles to be able to make those movements.

Commissioner Cavenee said that the exhibit looks like they would be backing onto a pedestrian sidewalk in a blind situation and that he could see a unique problem with that. He said that he was talking about the sidewalk at the very end of the 6 pack. The last car in each of those two homes would back up and have to back down the sidewalk in order to make the turn out of there. That is a blind sidewalk because there is only 7 feet between those buildings. Commissioner Cavenee said that he knew that they were past the parking issues and that those have been done in study sessions but they are currently dealing with setbacks and this relates to setbacks.

Mr. Condit said that they could put up some bollards or something to prevent cars from making that turn into that sidewalk area.

Vice Chairman Oehler said that between the trash enclosures and some of the parking spots some of them were located in visual triangles. He asked Mr. Condit how they intended to deal with those.

Mr. Condit invited Eric Guderian to come forward and address that comment.

Mr. Guderian stated that his department had reviewed the parking and the trash. In all of their residential areas they allow on-street parking to encroach into the site triangles. They do not put signs up at every corner saying “no parking” from here to the corner as that would be far too many signs. The spaces that are shown will be used for visitor parking and public parking. There will not be any striping designation out on the street.

Vice Chairman Oehler said that he did not see the point of a triangle if you are going to park a car right on the corner. He said they would be parking there overnight.

Mr. Guderian said that this was what happened in all residential locations. They do not have any enforcement or “no parking” signs posted.

Vice Chairman Oehler asked if they were designating areas for sanitation or just saying that there was room there.

Mr. Guderian said that they would be signing those locations as “no parking” locations and those will be the designated areas for recycling and trash.

Vice Chairman Oehler asked staff if when they talk about the front setbacks for the pods, they were talking about the 6 pack and the 4 pack.

Planner Cadavid displayed the traffic exhibits and noted that when they refer to the 6 packs these are the 4 unit pods of which the majority of those 4 packs are along the East side of Recker Road. The pods are the groups that contain 6, 4 or one that has 8 and one that has 5 units. That is what constitutes a pod. The front setback is to the centerline of the alley of the motor court. In that section is where the applicant requests 7 feet. That is where they refer only to the end units in those pods. Those units front onto the motor court so that the street units on the 6 unit pods all have the same scenario with the 7 feet on the end units of the pods.

Vice Chairman Oehler referred to an area on the exhibit and asked if the lines at those points were imaginary lines.

Planner Cadavid said that was correct and that those lines were for the use and benefit easement or zero lot lines. At those locations there will be a masonry wall. Between the two units she indicated, the outdoor space for the center lots would be all the way to the wall of the end unit sidewall. However, setbacks are measured to property lines.

Commissioner Sippel asked if there were no windows.

Ms. Cadavid said that was correct. She said that a property owner could come out onto their patio and the property line may be at the coffee table but the wall is way beyond where the next unit is located. It is a lot specific plan allocation. The setbacks are measured to property lines but that is why they are proposing the use and benefit easement.

Commissioner Peterson referred to the exhibit that had the 6 and the 8 units and asked where the home owners take their garbage cans.

Planner Cadavid indicated the exhibit and said that the 8 pack unit owners would have to come all the way down to where she indicated on the exhibit.

Commissioner Peterson said that was not going to happen. That is not realistic everyday life for someone to have to roll their garbage can all the way to the area indicated by staff.

Planner Cadavid said that was the scenario for every development of this type in the Town.

Commissioner Peterson said that the 4 pack was not so bad but the 8 pack was unrealistic as a homeowner. To take their containers that far two days a week because they have recycling and garbage is unrealistic.

Commissioner Sippel referred to lot 70 and 73 and said that when talking about side yards what was the setback between the back of a house to the back of the next house.

What is the distance between those two houses?

Planner Cadavid said that it would be 10 feet.

Commissioner Bianchi asked if this product was currently in Cooley Station or is this new product or design.

Planner Cadavid said that there were several developments within the Gateway area that are alley loaded as well as older developments with this arrangement.

Chairman Wittmann asked if it was with the variations requested or with the standard SF – D standards.

Planner Cadavid said that in Cooley station they have smaller lots by ordinance and 55% of coverage. That is Cooley station, a separate PAD in the Gateway area. The 2 most recent SF–D developments, one being Fulton Homes in parcel 15 and another builder on parcel 12 did not deviate from the footprint or coverage at 55%.

Chairman Wittmann invited the applicant to come forward.

Mike Curley, Phoenix, AZ, came forward representing the applicant. Mr. Curley said that this was a project that many people are unfamiliar with and is unique in a lot of its characteristics. It is a very appealing alternative housing situation for small lot type of developments. There may be characteristics that are associated with them that are different than what the typical single family dwelling has. In terms of the sanitation, the distance between the furthest unit and where you place the garbage container is probably one half the distance of what exists right now in the existing Cooper development. People who are buying this type of product go in with a slightly different mentality than the single-family homeowner. Mr. Curley said that they have spent 6 to 8 months on this project and think that it is well thought out. This project has been built extensively in California and is extremely attractive and successful and is being brought to the Valley as an alternative to some of the smaller lot concepts that have been developed in the past. Mr. Curley pointed out that as far as staff is concerned, while there are some situations that are tight, they are supporting the project. Mr. Curley noted that this project would be on 17 ½ acres out of the entire master plan which was basically an 80 acre site. All of the streets curb and gutter is in. What they are doing is substituting a triplex approval that was approved in 2004. Mr. Curley showed renderings of the previously planned and approved project. He noted that there were 168 units approved with 12 garage spaces per pod. The applicant is reducing it down to 109 units and instead of 12 per pod they basically have 6 per pod. The previous planned units were approximately 700 ft.<sup>2</sup>. Mr. Curley noted that they were doing two of these projects in Chandler and there is one in Phoenix at Tatum and Greenway. Mr. Curley commented that he was hired after the July Planning Commission meeting and had since reviewed the minutes of that meeting to try to gain an understanding of what the Commission's concerns were. After meeting with the Planners and the representatives from KB Homes he still had some difficulty understanding some of the nuances of the project so he personally flew to California to look at the product in place which had been built for a number of years. When looking at the site plans which are one or two dimensional, they do not really do the product justice. When comparing the current project and the Irvine, California project they are identically dimensioned and sized in terms of the lot sizes, setbacks and open space so it is an apple to apples discussion. Mr. Curley said that the architecture is one of the unique aspects of the product and displayed renderings of finished product. He noted that there were recesses and accent features and was not garage dominant which so often times is the case on smaller lots. A typical 6 pack unit was displayed. He noted that these were the units that front onto the public streets and indicated where the drive aisle and garages were located. He noted that when you were driving down the street you were seeing architecture rather than the typical garage. He displayed photos of the middle units and where they would be located. Mr. Curley indicated where the end units were located and noted that one of the deviations that they were seeking was to have a 7 foot distance between that element and what would be across the courtyard. Photos were displayed of the interior footprint and Mr. Curley indicated how the doors opened up to extend the living space into the outdoor area which was a very unique and pleasant

environment. He pointed out the use and benefit easement and the wall that creates a courtyard in the area. Mr. Curley said that Gilbert would benefit by this project as they were reducing the density from the existing triplex from 169 to 109. KB Homes owns the site and is not buying it subject to escrow. There is an overall benefit because of the reduction of traffic and parking and from a quality standpoint this is a good product. Mr. Curley said that as the staff report indicates, they have a 50 foot landscape set back along the arterials and along the future retail there will be 30 feet. The streets are already in and the drive aisles go into the individual pads in which all of the garages are located interior to the pad's and on the front loaded street you will be seeing architecture and not garages. Mr. Curley indicated on the site plan the location of the 8 pack unit in relation to where the garbage must be placed. He noted that a lot of time was spent with the sanitation and traffic department and that the trash enclosure areas are marked as no parking areas. Mr. Curley indicated the site plan and pointed out the use and benefit areas and where the technical lot lines would be. He noted that Town code requires a 3 foot building separation between the property line and the building and that was the reason that they did the use and benefit easement. In terms of the lot size, in the 4 packs there is no issue about the lot size. The lot size issue is that they are seeking relief to go below 3000 ft.<sup>2</sup>. That is not present in any of the 4 packs or in the end units of the 6 packs or the 8 pack. The deviation is for the middle unit in the 6 pack and the middle 4 units in the 8 pack. This is a condition that is reflected throughout the entire subdivision because the lots and the units are preplanned per lot. There are 29 of the 2620 ft.<sup>2</sup> lots that they are seeking relief from. It would be nice to think that they could just shrink two other lots and take that area and average it into the middle lots but they cannot do that because they have to set the buildings back from the private street because of utility easements and having clearance to work on the utilities with cranes. They cannot make those lots any bigger. The 2620 ft.<sup>2</sup> means that they are 380 feet short of the 3000 feet minimum but what it doesn't take into account is the use and benefit area. Although legally the use and benefit area is not part of the lot it functionally acts as part of the lot and the use and benefit area is roughly 330 – 350 feet. When you add the use and benefit area into the lot size you end up with the middle lot being just shy of the 3000 feet. When you average the 4 packs it is 3500 and when you average the 6 packs it is 3300 per pack and when you average the 8 pack it is 3100 ft.<sup>2</sup>. In terms of reducing the building separation and front yard setback at the end of the drive aisle they are seeking to reduce the building separation between the two homes. There is a 10 foot requirement and they are requesting that it be reduced to 7 feet. They are seeking a front yard setback for each individual lot from 10 feet down to 3 ½ feet. The lot line goes to the center of the walkway and the house is 3 ½ feet from that centerline. All of the end Units back up onto the open space with view fencing. Another deviation is to reduce the rear yard setback. Because of the unique layout the livable area is really in the side yard and not what is technically the rear yard. They are seeking to reduce the rear yard from 10 feet down to 5 feet. Mr. Curley said that they are requesting a reduction in the side yard to 3 feet. That area has a covered patio and the setback is 3 feet between the patio and the lot line into the use and benefit easement. Technically they are reducing it to 3 feet but from a functional standpoint there is 12 to 20 feet of open space and separation between the buildings. In terms of the lot coverage issue those are the conditions that exist on all of the lots. The lot coverage for the street fronted units is 42% which is under the 50% and that includes the patio cover in the lot coverage provision. The lot coverage for those particular units does not allow you to include the patio cover which is roughly 5%. If they could avail themselves of the 5% like they can in any other single-family districts no lot coverage increase above 50% would be required there. It is 42% for the end units, the middle units are 51.8% and the units that are on the end are different lot coverage's as there are two different plans. One is 55.8% and the other is 61.7%. Mr. Curley said that there are 36 units that are depicted and 18 of them would be plan 4's which would be the 62% lot coverage and half of them would be 56%. The applicant would be willing to stipulate to those particular numbers.

Commissioner Powell asked what the square footage was of the actual structures.

Mr. Curley said between 1,800' and 2,800 sq. ft., and they were all two stories.

Commissioner Bianchi said that when the applicant had discussions with the traffic engineer was there any consideration to widen the lane to give a greater turning radius or perhaps put in a little more interior parking so that it was not all forced onto the street.

Mr. Curley said that the actual dedicated drive is 20 feet; however, there are 2 feet of easement on each side which would be a total of 24 feet of maneuvering room. That is a typical width of a drive aisle. He said that he was in one or two of the meetings with the traffic people and would be disingenuous if he said that they were jumping with joy and clearly would have liked to have more. He said that a fair characterization would be to say that they signed off

on this and probably would have liked more. He said that the difficult thing was that they were operating within the constraints of a remnant parcel.

Commissioner Bianchi said that he appreciated the presentation of the exhibits from Irvine, CA and one of the things that he would've liked to have seen was a photo of the built development and the parking situation. He said that he understood that they were reducing the density and the impact to the neighbors, however, it's still an impact. When they are forcing all the parking onto the street based on the configuration how do they propose to enforce the parking to keep people from parking within the medians between the units and so forth. It seemed to him to be a regulatory issue.

Mr. Curley commented that it would be physically impossible to park on the drive aisle without completely disrupting the lifestyle within the pods. The surrounding developments all have a similar pattern as it is almost all alley loaded. He indicated on the site plan where the additional 19 parking spaces were located.

Commissioner Bianchi said that goes to Commissioner Peterson's point when she talked about the trash receptacles and pulling those out. He asked what the distance was that they think people will go to. If there are 109 units with 80 parking spots at what point do people say that they can't find parking around here so I'm just going to park in those areas that shouldn't be parked in. He said that was a major concern for him.

Mr. Curley pointed out that this situation was not different than what exists in surrounding areas. He said that each one of those units has a two car garage. He said it was not likely that all the public streets will have parking on them. It is perhaps a possibility but not very likely.

Chairman Wittmann said that she lives near a community similar to this and she has seen that they do park cars parallel behind the garage. It clearly is not supposed to occur that way but it is happening.

Commissioner Cavenee said that it was mentioned earlier that there are a couple of extra feet on the drive aisle beyond the half easement. Based on the graphics there isn't an extra anything. He said that he was still very concerned about the end units and asked if something could be done to alleviate that.

Mr. Curley said that he was fairly certain that the 2 foot easement does exist on both sides of the 20 foot drive.

Chairman Wittmann said that she believed on the exhibit that it does but on the exhibit of the 6 pack that is in the packet it is showing as green space. It is clearly not a drive but looks like open space or part of the unit.

Commissioner Cavenee said that from hard scape too hard scape it looks like 20 feet.

Chairman Wittmann said that she thought they had said that it was going to be DG and perhaps a rolled curb.

Commissioner Cavenee said that on the exhibit it does say 20 foot motor court.

Chairman Wittmann said that the pavement width is definitely 20 feet but they are trying to count in the DG area.

Commissioner Cavenee said that what he heard was that there was a couple of extra feet there and based on the exhibit he did not believe that was the case.

Mr. Curley asked the applicant's engineer to come forward.

Daniel Auxier, Chandler, AZ came forward for the applicant. Mr. Auxier stated that he was a civil engineer and said that when they were preparing this exact product in another municipality with the same 20 foot motor court they used a program called Auto Turn that simulates the turning movements of a passenger vehicle. They ran the program in the very worst-case scenario and were in the furthest driveway and backed out doing a 3 point turn. This was a passenger vehicle and the drive was not meant for a dooly truck but they did show that it worked.

Commissioner Cavenee said that it would be nice to see those exhibits. Right now he said he was having a hard time how that is going to work as he was seeing a car backing into a blind pedestrian walkway.



Vice Chairman Oehler said that they are basically asking people to back into another's person's garage.

Commissioner Cavenee said that in the images that he was looking at there was a wall that contained the entrance area to the home so you could be backing around that. That may differ with different models. Any time there is a dead-end in a parking lot they always have a little bump out to create space for that back out and turn around. Commissioner Cavenee said that he would like to see that addressed as that was an important concern. He said that he tended to agree with staff on the lot coverage issue which may mean that those couple of models on the end caps may need to be altered anyway. Here is a chance to alter where the front door is and how the backing out happens.

Vice Chairman Oehler asked what the counts were for visitor parking.

Mr. Curley said that there were 109 units and the total number of spaces were 19 and on street was approximately 65. There are approximately 85 total.

Vice Chairman Oehler asked if they have 85 required.

Mr. Curley responded that he believed that other than the parking that is in the garage he did not think there was any other requirement. The number of spaces that he referred to was in addition to the two cars per garage.

Chairman Wittmann asked if for the end units and the reduced front yard setback request to 3.6 is that primarily due to the design of the 2 units on those particular end lots.

Mr. Curley said that was correct. He said that they want to get it right and so if they need to look at other issues they were open to that even though they preferred not to have it continued.

Chairman Wittmann closed the public hearing.

Commissioner Powell said that he thought it was wise to examine projects to make sure that they catch anything that might have been overlooked and do their best to produce a quality environment for people to live. He said that in his mind this was multifamily and they were asking to change the zoning. If they kept it multifamily they could end up with duplexes or triplexes. By approving the request to change the zoning they end up with, in his opinion, a better product and better living environment for those who choose to live in that area. He said that he was pleased with what they were able to do, especially with the configuration of the property.

Commissioner Cavenee asked Commissioner Powell how he felt about staff's recommendation regarding lot coverage and that being the one variance not approved. Every other variance approved but that one, which is the current staff recommendation.

Commissioner Powell said that they have averages that work, they are excessive in a couple of the models but there is a very unique configuration. He said that he felt they had done a very good job in trying to bring a good product to the Town.

Commissioner Cavenee said it was obvious that they have worked hard on this project for a long time. He said that he agreed that this was a better zoning for this property versus multifamily. He said that he felt it was a little too dense but understood that the product can work and has actually visited the website and looked at the KB product in Irvine. Commissioner Cavenee said that he had a little concern about the parking issue and understood that it was perhaps inherent to those alley loaded projects and doesn't know that they can do much more than they've already provided. They have dedicated 19 spaces which is a good start but he wished that there were more. He was somewhat worried about the setbacks but understands in those tight spaces that they have created some use benefit easements that have created greater space for those pinched by that. He was also somewhat concerned by the narrowness of the motor courts but would be okay with that if they could stipulate to address the end caps and how the parking works there. Regarding the variance that staff is recommending not be approved, he would endorse that. That would require the applicant to consider alternate plans for those couple of lots in between.

Commissioner Bianchi said that he understood the request for multifamily and the irregular shape of the parcel. However, there are a lot of additional pressures on the street and the area that will need to be absorbed if it is developed as being shown currently as well as with the deviations. He said he believed that they were going in the right direction but he was having a difficult time wrapping his arms around it to support the requested deviations. Commissioner Bianchi said that it comes down to parking and circulation and the absorption and impact to the general area. His preference would be to have parking or a wider median and trying to put the parking in between the drive aisle rather than forcing it all out onto the street. He said that he realized that that changed the product and pushes it out further and probably reduces a few more lots but if they could do that he would get a lot more comfortable with the density and it would probably reduce the need for the deviations that were being requested. The parking issue is then brought internal if they take the middle aisle and put some on street parking there and increase that radius. Commissioner Bianchi said that the way it was presented he would have a hard time supporting a recommendation of approval.

Commissioner Sippel said that he would concur with what had been set on the dais and that his concerns were the parking and the safety concerns with those cars backing out. These homes were being built bigger which would warrant more of a family with children which would warrant a bigger minivan or SUV type of vehicle which he could see ending up in a doorway at some point in a backup situation. Commissioner Sippel said that he would concur with staff on the lot coverage.

Commissioner Peterson said that there was a product on Recker South of the 202 which was very close to the project they were discussing. It has the alleyways and the garages and when she went to visit there was no parking on the streets and there was a lot of parking. She ended up parking a block and a half away. She said that she was comfortable with the motor court and garages and no parking on the motor court but was uncomfortable with backing up into those front doors that Commissioner Cavenee commented on. She said that she would like to see more parking on the street. Commissioner Peterson said that she did not know if they were trying to put too many units into that location and believe that was brought up at the July meeting.

Chairman Wittmann asked if she was looking for parallel parking or designated parking spaces.

Commissioner Peterson said she was looking for parallel parking. She said that she thought you might get one homeowner to park in the garage but the 2<sup>nd</sup> one was probably going to Park on the street mostly because we live in Gilbert and the vehicles in Gilbert are large. She said that this issue had been discussed many times at the Planning Commission level in terms of parking spaces in commercial areas because people drive larger vehicles. She said that she was not sure that there was enough parking to accommodate the unit in the way that it was being presented. It just needed a little more work and she was not comfortable approving it currently. They were just not quite there yet.

Vice Chairman Oehler said that he was pretty much on board with everything that had been said on the dais. His concerns were parking and dealing with the alleys. He said that he knew there was 27 feet and a standard drive aisle is 24 feet but when they get to the end caps and the movement he would like to see if they could squeeze out another foot or two. Vice Chairman Oehler said that he did not have a problem with the overall density and the setbacks and the shared use space between 2 owners is a nice touch to the area. The buildings being fronted out onto the main Street gives a lot more appeal as you are not looking at a sea of parking garages. He said that he believed that it needed to be massaged a little more to make it work and at this point would not be in favor.

Chairman Wittmann said that she agreed with Commissioner Bianchi's comments and that she felt like the motor court pavement area is not necessarily wide enough and could be widened. The density was not a problem but the number of deviations requested to make this product work in this area was a concern for her. Many of the deviations seem to be more than half reduction of what the code requires and that led her to believe that rather than just being a creative design it is fitting a very large car into a very small garage and trying to make it work. Chairman Wittmann said that she did not like the reduction in the front yard setback from 10 feet to 3.6. Overall the plan could probably work but as it stands currently she was not in favor. The 8 pack and the sanitation issue is also a huge concern. She said that from what she heard on the dais that a continuance would be recommended and asked for and received a nod from the applicant that he was agreeable to that.

**A motion was made by Commissioner Brigitte Peterson and seconded by Commissioner Kristopher Sippel to continue Z13-12 to the February 5, 2014 Planning Commission meeting.**

**Motion carried 7 – 0**